

Dated: 5/14/2019

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

IN RE:)		
)	CHAPTER:	13
STACEY & ERICA TINDALL)	CASE NO.:	15-05917
SSN: XXX-XX-5053/7210)	JUDGE:	HARRISON
217 IVY BEND CIRCLE)		
CLARKSVILLE, TN 37043)		
)		
Debtors.)		

**AGREED ORDER GRANTING DEBTORS' MOTION TO SELL VEHICLE, MODIFY PLAN, AND
INCUR CREDIT AND GRANTING TRUSTEE'S MOTION TO SET ASIDE ORDER OF APRIL 19,
2019**

This matter came before the Court on May 1, 2019 upon the Debtors' Motion to Sell Vehicle, Modify Plan and Incur Credit with the Chapter 13 Trustee's Objection thereto. The Court had previously entered an order granting this application in error (ECF No. 110) as a result of the Debtors' counsel submitting a proposed order prematurely. As evidenced by the signatures of respective counsel below, the parties are in agreement to the entry of the following order:

1. The Order Granting Debtors' Motion to Sell Vehicle, Modify Plan and Incur Credit entered on April 19, 2019 (ECF No. 110) is hereby set aside.
2. The Debtors shall be authorized to sell their 2014 Nissan Altima for \$5,188.39. Proceeds shall be remitted directly to Insolve Auto Funding c/o Capital Recovery Group, Dept 3403, P.O. Box 123403, Dallas, TX 75312-3403.
3. The lien-holder on the 2014 Nissan Altima, Insolve Auto Funding c/o Capital Recovery Group, shall be required to release its lien on the title and to remit same to the buyer, upon receipt of payment.
4. Insolve Auto Funding c/o Capital Recovery Group shall be granted relief from the automatic stay in order that it may proceed with the enforcement of the security interest in its collateral and any proceeds thereof.

5. Insolve Auto Funding c/o Capital Recovery Group shall be required to file an Amended Claim within ninety (90) days of entry of this order, reducing the remaining balance to \$0.00 after processing the proceeds from the sale. Payments required pursuant to 11 U.S.C. §1325(a)(5) shall be suspended pending the filing of an Amended Proof of Claim. Should an Amended Claim not be timely filed, the claim shall be deemed to have been satisfied in full and no other payments shall be paid on the claims.

6. The Debtors' plan payments shall be reduced from \$806.00 bi-weekly to \$651.00 bi-weekly. The plan shall complete over a life of approximately 60 months from confirmation paying general unsecured creditors 20%. The base shall be reduced from \$152,197.00 to \$145,800.00 and the unsecured pool shall remain \$0.00.

7. Debtors shall be authorized pursuant to 11 U.S.C. section 1305(c) to incur credit to finance a replacement vehicle with direct monthly payments of no more than \$600.00 and a principal balance of no more than \$25,000.00.

IT IS SO ORDERED.

THIS ORDER WAS SIGNED AND ENTERED ELECTRONICALLY AS INDICATED AT THE TOP OF THE FIRST PAGE.


APPROVED FOR ENTRY:

/s/ Alex Koval

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 Digitally signed by /s/ Henry E. Hildebrand, III
DN: cn=/s/ Henry E. Hildebrand, III, o=Chapter 13 Trustee's Office, ou=Finance (51), email=pleadings@ch13nsh.com, c=US
Date: 2019.05.09 08:11:56 -05'00'

This Order has been electronically signed. The Judge's signature and Court's seal appear at the top of the first page.
United States Bankruptcy Court.